

**UNITED STATES OF AMERICA
BEFORE THE FOOD AND DRUG ADMINISTRATION
DEPARTMENT OF HEALTH AND HUMAN SERVICES**

In the Matter of:

**Enrofloxacin for Poultry:
Withdrawal of Approval of
New Animal Drug Application
NADA 140-828**

FDA DOCKET: 00N-1571

Date: March 19, 2003

ORDER

On March 17, 2003 the Center for Veterinary Medicine (CVM) requested the opportunity to submit rebuttal evidence. The request does not provide enough information. Before the opportunity for the presentation of rebuttal evidence can be granted, CVM must show that it could not have reasonably anticipated the evidence that it seeks to rebut, and specify the nature of the rebuttal. The request should include the identification of specific witnesses, along with the amount and type (documents and/or testimony) of evidence to be introduced.

Accordingly, CVM is required to supplement its request no later than March 24, 2003. Respondent Bayer Corporation will have until March 31, 2003 to submit any opposition thereto.

DATED this the 19th day of March, 2003.

s/s Daniel J. Davidson
Daniel J. Davidson
Administrative Law Judge